

JUN 10 2005

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JAMES A. CHARLTON, )  
Plaintiff, ) Civil Action No. 7:05-CV- 00353  
)  
v. )  
GEORGE M. MCMILLAN, )  
Defendants. )  
)  
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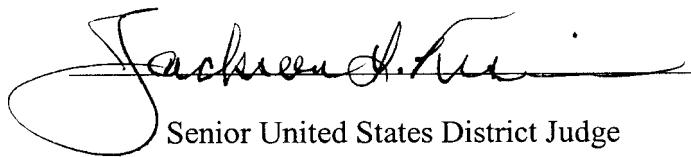
**FINAL ORDER**

By: Hon. Jackson L. Kiser  
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ADJUDGED** and  
**ORDERED** that this action shall be and hereby is **FILED** and **DISMISSED** without prejudice,  
pursuant to 28 U.S.C. § 1915A(b)(1); and this case will be **STRICKEN** from the active docket of  
the court. Additionally, plaintiff is hereby notified that this dismissal constitutes a second "strike"  
under 28 U.S.C. §1915(g).

The Clerk of the Court is directed to send certified copies of this Order and accompanying  
Memorandum Opinion to the plaintiff and counsel of record for the defendants, if known.

**ENTER:** This \_\_\_\_\_ day of June, 2005.



\_\_\_\_\_  
Senior United States District Judge